The Mysore Gazette.

Vol. 39.] PUBLISHED BY AUTHORITY. [No. 45.

BANGALORE, THURSDAY, NOVEMBER 17, 1904.

PART III.

Legislative Measures and Rules thereunder.

NOTIFICATION.

Notification No. R. 3725—*Fts.* 63-03-3, *dated* 27*th October* 1904.

In exercise of the powers conferred by the Mysore Forest Regulation, XI of 1900, the Government of His Highness the Maharaja are pleased to prescribe the following rule :—

"In any State Forest or other forest or land at the disposal of Government which has been constituted a Game preserve by a notification in this behalf, no one shall hunt, fish, or set traps or snares, except with the express sanction of His Highness the Maharaja's Government."

No. R. 3837—*Fts.* 17-04-3, *dated* 1*st November* 1904.

The Government of His Highness the Maharaja of Mysore are pleased to direct that the following be substituted for Rule 7 of the Raiyats' Privileges Rules published under Notification No. 6084—Ft. F. 105-95, dated the 8th January 1896.

"Raiyats in the Malnad will be entitled to take free and without permit, thorny bamboos "for hedges and fences, dead date or bagani palm trees required for agricultural implements "or for sugar-cane hedges and water courses, and canes for agricultural purposes."

No. 3738-715—*Ml.*, *dated* 3—4*th November* 1904.

The Government of His Highness the Maharaja are pleased, under Section 38 of the City of Mysore Improvements Regulation, III of 1903, to prescribe the following Rules for the grant of loans to persons, not being Government servants, to enable them to build houses and make other improvements in the Mysore City under Section 27 (3) of the said Regulation :—

1. Applications for loans may be made to the Chairman of the Board of Trustees for the Improvements of the City of Mysore, and shall contain the particulars specified in Form A (appended) and be signed by the applicant.

2. They shall be presented in person and shall contain the following information in the column of remarks in Form A—

I. Whether the applicant proposes to supplement the loan by any private capital, and if so, to what extent.

II. The estimated total cost of the building proposed to be constructed or of the improvements, and the probable period that will be occupied in its construction.

When the foregoing particulars are not entered in the application, the Chairman shall ascertain them so far as may be possible from the oral statement of the applicant or otherwise, record them on the application or on a paper to be attached thereto, and have them read over to the applicant and acknowledged by him to be correct.

3. The loans shall be granted :—

(a) For building new houses in the Extensions of the City or on sites re-allotted in the City or elsewhere in the City with the approval of the Board.

(b) For the sanitary improvements of the existing houses both in the Extensions and in the City, such as :—

(i) Conversion of mud floors into floors with mortar concrete or with flooring tiles.

(ii) Conversion of bamboo pot-tiled or thatched roof into improved tiled or terraced roof.

(iii) Conversion of mud walls into burnt brick walls.

(iv) Constructing proper drains and making sewage connections.

(c) For erecting separate cattle sheds, etc.

4. Collateral security shall be offered by the applicants for twice the amount of the loan applied for, and in the absence of the same, the Chairman may take the personal security of two respectable persons.

5. The Chairman shall, after seeing that the application contains all the necessary particulars, satisfy himself by making such enquiries as he deems necessary as to the sufficiency of the collateral security or personal security as the case may be.

6. On completion of the enquiry, the Chairman shall dispose of the application on its merits, and direct the grant of the loan either in full or in part, as is deemed desirable.

7. The Chairman will sanction loans not exceeding Rs. 200 in each case on his own authority, and all loans exceeding that amount, with the sanction of the Board.

8. If, on a review of the local enquiry, and such further investigation, as may be deemed necessary, the Chairman is not satisfied about the sufficiency of the collateral security, or the solvency of the sureties, it shall be lawful for him either to reject the application for the loan or in case the loan is required for building a new house, postpone disposal of the application, till substantial progress is made with the construction of the building, and then refer the application for the special orders of the Board.

9. When a reference is made to the Board under the provisions of clause 8 above, by the Chairman, the Board may dispense with the requirements of the rules regarding collateral and personal security, and grant the loan either in whole or part as may seem proper to the Board.

10. Interest shall be charged on loans at the rate of 3 % per annum. If the Chairman considers that in special cases, the loan should be granted at a lower rate of interest or without interest, he should place such cases before the Board for decision.

11. When an order granting the loan is passed, it shall be endorsed by the applicant to the effect that he has understood and agreed to all conditions specified in the loan order (Form B) and it shall be signed by him in the presence of two witnesses who shall also attest the endorsement. The person applying for a loan shall also, as soon after the loan is sanctioned as possible, and before obtaining it, execute a bond in Form C.

12. If any property other than the property of the applicant is pledged or mortgaged as collateral security for the repayment of the loan, the order shall be similarly endorsed, signed and attested by the sureties and witnesses.

13. The applicant shall sign an agreement binding himself to conform to the provisions contained in the "Building Bye Laws."

14. The order granting the loan shall be in Form B appended to these rules. It shall be retained in the office of the Chairman and a copy of it shall be given to the applicant.

15. The security bond to be executed by a surety, if any, shall be in Form D appended.

16. The Chairman shall, at his discretion, direct the loan to be paid in instalments according to the progress of the work shown. In no case, prior to the final payment, shall the instalment or aggregate of instalments exceed 75% of the value of the materials collected or work executed.

17. When the loan is paid in instalments, interest at 3% per annum shall be charged on the loan, only from the date of the actual payment of the last instalment, none being charged on previous instalments.

18. The loan granted with interest at 3 per cent per annum shall be repaid by the applicant by means of quarterly instalments, the first commencing three months after completion of the building. The number of such instalments and the period covered by the same shall be determined by the Chairman after due consideration of all the circumstances of the case, the period of repayment shall not exceed the maximum limit of 10 years. If in any case a longer period for repayment is desirable, the special sanction of the Board shall be obtained on a full report of the circumstances of the case.

Provided that, if default is made in the payment of any instalment, interest may be charged thereon at 5 per cent per annum.

19. The applicant may discharge the loan with interest due thereon at any time before the date on which it is repayable, and in such cases the Board shall remit one-half of the interest paid by the applicant in respect of the loan from the date of its grant to the date on which it may be discharged.

20. Before the repayment of the loan in full, all transfers of any interest in the building for the construction or improvement of which the loan has been obtained, by gift, sale, mortgage or lease exceeding five years, shall be void, unless they are made with the consent of the Board, whether such transfer is made by the applicant or by his heirs in Law, after his death.

21. If the house or the improvements are not completed, as agreed to, within the prescribed period from the date of the grant of the license to build the house or effect the improvements, the site, the unfinished structure, and the materials at site, shall be liable to be appropriated towards the complete or partial discharge of the loan made.

22. In cases in which the unfinished structure is appropriated as aforesaid, it shall be lawful for the Chairman to complete the structure and sell the same by public auction, any difference between the amount due to Government and the sale proceeds being recovered from the applicant in accordance with the provisions contained in the following para.

23. All sums payable under these rules shall be recoverable as provided for in Section (45) of the Mysore City Improvement Regulation (III of 1903).

By order,
B K. VENKATAVARADAIYENGAR,
Secy. to Govt., Gen. & Rev. Dept.

FORM A.

Application for a loan under the Mysore City Improvement Regulation, (No. III of 1903), Section 27 (3).

1. Name, caste, parentage, profession and residence, etc., of the applicant.	
2. Amount of the loan required.	
3. Nature, description and estimated cost of the proposed improvements.	
4. The amount and number of the instalments by which the loan, principal and interest will be paid.	
5. The dates on which such instalments will be paid.	
6. Mohalla in which the property is situated.	
7. Description of property.	
8. Municipal number.	
9. Details as to area, etc.	
10. Municipal taxes now paid.	
11. Estimated market value of property as at present.	
12. Persons having an interest in the property, their names and description.	
13. The rights of the applicant or the surety as the case may be.	
14. Rights of others, if any.	
15. Whether there are any previous encumbrances or mortgage.	
16. Remarks.	

(Description of property offered as collateral security.)